

01-28-02

A

01/25/02  
plus (+) inside this box



PTO/SB/05 (03-01)  
Approved for use through 10/31/2001. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |  |                   |             |    |
|---|--|-------------------|-------------|----|
| <b>UTILITY</b><br><b>PATENT APPLICATION</b><br><b>TRANSMITTAL</b><br><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> | Attorney Docket No.                            | 88265-6773        | Total Pages | 18 |
|   | First Named Inventor or Application Identifier |                   |             |    |
|   | Karlheinz BORTLIK                              |                   |             |    |
|   | Express Mail Label No.                         | EV 074 516 043 US |             |    |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status  
See 37 CFR 1.27.
3. ☒ Specification Total Pages 18  
(preferred arrangement set forth below)  
-Descriptive title of the Invention  
-Cross Reference to Related Applications  
-Statement Regarding Fed Sponsored R&D  
-Reference to Sequence Listing, a table, or a computer program listing appendix  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure
- ☐ Drawing(s) (35 U.S.C. 113) Total Sheets \_\_\_  
☐ Oath or Declaration (unexecuted) Total Pages \_\_\_
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☒ Continuation-in-part of prior international application no. PCT/EP01/06145, filed May29, 2001

Prior Application Information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code

CUSTOMER NO. 28765

|         |           |          |  |  |
|---------|-----------|----------|--|--|
| NAME    |           |          |  |  |
| ADDRESS |           |          |  |  |
| CITY    | STATE     | ZIP CODE |  |  |
| COUNTRY | TELEPHONE | FAX      |  |  |

|                   |                         |                   |                  |
|-------------------|-------------------------|-------------------|------------------|
| Name (Print/Type) | For Allan A. Fanucci    | Registration No.: | 30,256           |
| Signature         | <i>Allan A. Fanucci</i> | Date              | January 25, 2002 |

**WINSTON & STRAWN**  
 200 PARK AVENUE  
 NEW YORK, NEW YORK 10166-4193  
 212-294-6700

ATTORNEY DOCKET NO.: 88265-6773

Assistant Commissioner for Patents  
**Box PATENT APPLICATION**  
 Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): **Karlheinz BORTLIK, Francoise SAUCY, Eliane DURUZ,  
 and Myriam RICHELLE**

Title of the Invention: **PRIMARY COMPOSITION CONTAINING A LIPOPHILIC  
 BIOACTIVE COMPOUND**

**PATENT APPLICATION FEE VALUE**

| TYPE   | NO. FILED | LESS | EXTRA | EXTRA RATE | FEE       |
|--|-----------|------|-------|------------|-----------|
| Total Claims   | 27        | -20  | 7     | 18.00      | \$ 126.00 |
| Independent  | 2         | -3   | 0     | 84.00      | \$ .00    |
| <b>Minimum Fee</b>   |           |      |       |            | \$ 740.00 |
| Multiple Dependency Fee<br>If Applicable (\$270.00)  |           |      |       |            | \$        |
| <b>Total</b>   |           |      |       |            | \$ 866.00 |
| 50% Reduction for independent inventor, nonprofit<br>organization or small business concern (verified<br>statement as to the applicant's status is attached) |           |      |       |            | -\$       |
| <b>TOTAL FILING FEE</b>  |           |      |       |            | \$ 866.00 |

- ☐ **DO NOT PUBLISH.** I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 112(b).
- ☒ Priority of application no. 00111542.7 filed May 30, 2000 in Europe is claimed under 35 U.S.C. § 119. A certified copy was filed in the PCT application no. PCT/EP01/06145 filed May 29, 2001.
- ☒ Please charge the required fee to Winston & Strawn Deposit Account No. **501-814**. A copy of this sheet is attached.

Respectfully submitted,



Allan A. Fanucci, Reg. No. 30,256

Date

1/25/02